



MINUTES OF DECEMBER 1, 2015

REGULAR MEETING OF THE COVINA CITY COUNCIL/SUCCESSOR AGENCY TO THE COVINA REDEVELOPMENT AGENCY/COVINA PUBLIC FINANCING AUTHORITY/COVINA HOUSING AUTHORITY HELD IN THE COUNCIL CHAMBER OF CITY HALL, 125 EAST COLLEGE STREET, COVINA, CALIFORNIA

CALL TO ORDER

Mayor King called the Council/Agency/Authority meeting to order at 7:33 p.m. There was no closed session.

ROLL CALL

Council Members Present: Walter Allen III, Jorge Marquez, Mayor Pro Tem/Vice-Chair Kevin Stapleton, and Mayor/Chair John C. King.

Council Members Absent: Peggy A. Delach.

Elected Members Present: City Treasurer Geoffrey Cobbett and City Clerk Mary Lou Walczak.

Staff Members Present: City Manager Andrea M. Miller, City Attorney Candice K. Lee, Police Chief Kim Raney, Public Works Director Siobhan Foster, Community Development Director Brian Lee, Human Resources Director Danielle Tellez, Parks and Recreation/Library Director Amy Hall-McGrade, Acting Assistant Fire Chief Jim Enriquez, Assistant to the City Manager Angel Carrillo, GIS Technician James Knox, and Chief Deputy City Clerk Sharon F. Clark.

PLEDGE OF ALLEGIANCE

Council Member Marquez led the Pledge of Allegiance.

INVOCATION

Police Chaplain Dave Truax gave the invocation.

PRESENTATIONS

Recognition of the Christmas Parade Committee.

Mayor King thanked all the parade volunteers, introduced Parade Chair Joelle Peelgren, and thanked her for her dedication and leadership in organizing this year's parade. Ms. Peelgren recognized the Parade Executive Committee: Win Patterson, Entry Chair; Steve Horstmann, Parade Control Chair; Bruce Bolton and Paula Reiter, Assistant Parade Control Chairs; Henry Medina, Public Relations Chairs; Roxanne Medina, Tree Lighting Chair; Judy Esquivel, Assistant Public Relations Chair; and Ranae Graham Evans, Volunteer Resources Chair; and the General Parade Committee Members. Special recognition was given to Roxanne and Henry Medina for their contributions to the 26th Annual Tree Lighting Ceremony; 2015 Emeritus

Member Don Baker, who served for over 20 years on the parade committee; and Parks and Recreation/Library Director Hall-McGrade for coordinating the parade planning.

Recognition of the Covina Police Department Volunteer of the Year.

Mayor King, on behalf of the Council, and Police Chief Raney recognized Mark Coon as the Covina Police Department Volunteer of the Year and presented him with a plaque of appreciation.

PUBLIC COMMENTS

Speaker Bishop L. J. Guillory commended city employees for the excellent service he had received, and commended Council and staff for the welcoming atmosphere he feels in Covina.

Speaker Bob Gorski announced the upcoming Covina Concert Band Christmas concerts and commented on City publications *Covina Today* and *City View*.

COUNCIL/AGENCY/AUTHORITY COMMENTS

Council Member Marquez commented that he is looking forward to the Christmas Parade.

Council Member Allen expressed his thanks to Council, City Manager Miller, and city staff for condolences he has received on the passing of his mother, commented on his planned participation in the upcoming Christmas Parade, and thanked parade volunteers for their efforts.

Mayor Pro Tem Stapleton expressed his thanks for the Christmas parade and those who contribute to the community; commented that it is uplifting to receive recognition by city visitors; commended the Tree Lighting event; requested Council support to agendaize for discussion a change in watering restrictions to allow for more flexibility on watering days; and commented on his planned participation in the upcoming Christmas Parade and invited the community to attend.

Council Member Allen thanked Public Works staff for the rededication and re-opening today of Metrolink Plaza, with special appreciation for the new median fencing to keep pedestrians from crossing unsafely.

Mayor King shared his excitement about the upcoming Christmas parade; commended the Tree Lighting event, reported on the rededication of Metrolink station with a special thanks to Public Works Director Foster and staff; commented that the last Council meeting had been adjourned in memory of Council Member Allen's mother, Gladys Allen, and expressed condolences; announced the passing of City Attorney Craig Steele's mother, Robin Steele, and that tonight's meeting would be adjourned in her memory; provided details for the 65th Annual Covina Christmas parade to be held on Saturday, December 5, 2015, at 6:30 p.m.; and announced that Covina is the recipient of the Energy-Savings Impact Award and will also be awarded for achieving "Gold Level" in the Energy Leader Model at an upcoming San Gabriel Valley Energy-Wise Partnership 2015 Awards Luncheon. In closing, he announced the Covina Concert Band's free Christmas Concert with the Chancel Choir to be held on Sunday, December 13, 2015, at 3:00 p.m. at the First Presbyterian Church, 310 N. Second Avenue, Covina.

CITY MANAGER COMMENTS

City Manager Miller requested that Consent Calendar item CC 9, Consideration of Resolution No. 15-7428 amending the Fee Schedule for the Entertainment Ordinance in Title 5 of the Covina Municipal Code, be removed from the agenda and rescheduled for the December 15, 2015, or January 5, 2016, Council meeting to allow for greater review; and commented on *Covina Today* as one of the ways the City is using to communicate with the community.

CONSENT CALENDAR

On a motion made by Mayor Pro Tem Stapleton, seconded by Council Member Marquez, the City Council approved Consent Calendar items CC 1 through CC 8, and CC 10 through CC 13.

Motion approved the Consent Calendar items CC 1 – CC 8, CC 10 – CC 13 as follows:

AYES: ALLEN, KING, MARQUEZ, STAPLETON

NOES: NONE

ABSTAIN: NONE

ABSENT: DELACH

- CC 1.** City Council approved minutes of the October 20, 2015, Regular and November 17, 2015, Study Session meetings of the City Council/Successor Agency to the Covina Redevelopment Agency/Public Financing Agency/Housing Authority.
- CC 2.** City Council approved the payment of City demands in the amount of \$1,586,716.30.
- CC 3.** Successor Agency to the Redevelopment Agency approved the payment of Agency demands in the amount of \$22,017.54.
- CC 4.** City Council adopted **Resolution No. 15-7425** confirming continued existence of an emergency condition for Roycove Reservoir and Pump Station.
- CC 5.** City Council adopted **Resolution No. 15-7426** appropriating Proposition C Funds, approved a Professional Services Agreement with Willdan Engineering for preparation of the Citywide Engineering and Traffic Survey, and authorized the City Manager to execute the agreement.
- CC 6.** City Council approved the Fourth Amendment to the Professional Services Agreement with Interwest Consulting Group for Transit and Transportation Consulting Services and authorized the City Manager to execute the amendment.
- CC 7.** City Council appointed Henry Morgan to the San Gabriel Valley Mosquito & Vector Control District Board of Trustees for a four-year term expiring December 31, 2019.
- CC 8.** City Council received and filed the update on the Los Angeles Regional Interoperable Communications System Authority.
- CC 10.** City Council approved a Proposal with Cornerstone Communications for Community Communications, Public and Media Relations Services; directed the City Attorney to prepare a Professional Services Agreement; and authorized the City Manager to execute the agreement on behalf of the City.

- CC 11.** City Council directed staff to set a public hearing on December 15, 2015, pursuant to Section 16.08.130 of the Municipal Code, for the consideration of a Tentative Parcel Map (TPM) 73595, a subdivision and four single-family lots at 1732 East Ruddock Street – APN: 8427-022-031.
- CC 12.** City Council adopted **Resolution No. 15-7429** authorizing the City Manager to execute an agreement with the State Board of Equalization for implementation of the Local Prepaid Mobile Telephony Service Collection Act, and adopted **Resolution No. 15-7434** authorizing the examination of prepaid mobile telephony services surcharge and local charge records.
- CC 13.** City Council adopted **Ordinance 15-2046** repealing Chapter 5.12 (“Billiard Parlors, Billiard and Pool Tables”) and modifying regulations relating to dancing and entertainment by repealing Chapter 5.28 (“Dance and Dance Halls”) and adopting a new Chapter 5.28 (“Entertainment”) in Title 5 (Business Licenses and Regulations”) of the Covina Municipal Code.

PUBLIC HEARINGS

- PH 1.** Consideration of Resolutions authorizing annexation of territory to City of Covina Community Facilities District No. 2007-1 (Public Services) (Annexation No. 9) and to call and hold a special election (425 W. Center Street).

Mayor King opened the public hearing.

The staff report was presented by Community Development Director Lee.

There was no public comment.

A motion was made by Council Member Marquez, seconded by Council Member Allen to close the public hearing.

Motion carried to close the Public Hearing as follows:

AYES: ALLEN, KING, MARQUEZ, STAPLETON
NOES: NONE
ABSTAIN: NONE
ABSENT: DELACH

City Clerk Walczak announced that no majority protest had been received and reported the canvass of the votes as follows:

On Proposition A: **One (1) vote cast in support** of the proposition and zero votes cast in opposition to the proposition. Therefore, **Proposition A was approved with a 100 percent vote in favor.**

On Proposition B: **One vote cast in support** of the proposition and zero votes cast in opposition to the proposition. Therefore, **Proposition B was approved with 100 percent vote in favor.**

A motion was made by Council Member Allen, seconded by Council Member Marquez, to:

1. Adopt **Resolution No. 15-7422**, authorizing the annexation of territory to Community Facilities District No. 2007-1 (Annexation No. 9) and authorizing the levy of a special tax and submitting the levy of tax to the qualified electors; and
2. Adopt **Resolution No. 15-7423**, calling a special election and submitting to the voters of Annexation No. 9 of City of Covina Community Facilities District No. 2007-1 (Public Services), propositions regarding the annual levy of special taxes within Annexation No. 9 to finance public services, and the establishment of an appropriations limit; and
3. Adopt **Resolution No. 15-7424**, making certain findings, certifying the results of an election and adding property to Community Facilities District No. 2007-1 (Public Services), Annexation No. 9.

PH 2. Public Hearing of 2015 Annual Report for the Covina Downtown Business Area Enhancement District.

The staff report was presented by Interim Finance Director Michicoff.

Mayor King opened the Public Hearing.

There was no public comment.

A motion was made by Council Member Marquez, seconded by Council Member Allen to close the public hearing.

Motion carried to close the Public Hearing as follows:

AYES: ALLEN, KING, MARQUEZ, STAPLETON

NOES: NONE

ABSTAIN: NONE

ABSENT: DELACH

A motion was made by Council Member Allen, seconded by Council Member Marquez to adopt **Resolution No. 15-7432**, confirming the 2015 Annual Report for the Covina Downtown Business Area Enhancement District, and levying the assessment described therein.

Motion carried to adopt Resolution No. 15-7432 as follows:

AYES: ALLEN, KING, MARQUEZ, STAPLETON

NOES: NONE

ABSTAIN: NONE

ABSENT: DELACH

PH 3. Levy of proposed annual assessment for the Fiscal Year 2015-2016 in the Prospero Park Business Area Enhancement District.

The staff report was presented by Interim Finance Director Michicoff.

In response to a query by Mayor King, Police Chief Raney responded that 500 Rue Royale is not part of the District. City Manager Miller added that the property owners in the District requested that the boundaries remain the same.

Mayor King opened the public hearing.

There was no public comment.

A motion was made by Council Member Marquez, seconded by Mayor King to close the public hearing.

Motion carried to close the Public Hearing as follows:

AYES: ALLEN, KING, MARQUEZ, STAPLETON
NOES: NONE
ABSTAIN: NONE
ABSENT: DELACH

A motion was made by Council Member Marquez, seconded by Council Member Allen to adopt **Resolution No. 15-7433**, confirming the 2015 Annual Report for the Prospero Park Business Area Enhancement District, and levying the assessment described therein.

Motion carried to adopt Resolution No. 15-7433 as follows:

AYES: ALLEN, KING, MARQUEZ, STAPLETON
NOES: NONE
ABSTAIN: NONE
ABSENT: DELACH

In response to a request from Mayor King, City Manager Miller responded that confirmation of whether apartment owners on Rue Royale are included in this assessment district would be provided to Council, and that property owners would be contacted to determine if it would be beneficial to expand the assessment area.

CONTINUED BUSINESS

CB 1. Consideration of Resolution No. 15-7427 voiding and revoking Conditional-Use Permit No. 11-006 authorizing a restaurant with outside dining with alcohol and entertainment located upon real property at 211 North Citrus Avenue, Covina: Applicant: JP United, LLC and temporarily staying said revocation of Conditional-Use Permit No. 11-006 to allow permittee the opportunity to apply for a conditional-use permit modification.

The staff report was presented by Community Development Director Lee.

Council discussion included that there had been one meeting just prior to the October 20, 2015, Council meeting between city staff, the property owner's representative and a prospective operator at which time information on the conditional-use permit (CUP) modification process was given, and no contact from anyone since; that the applicant is aware that consideration of revocation of the CUP was agendaized for tonight's meeting, but is not present; and that all legally-required notice has been given.

Mayor King opened the public comment period.

Speaker Raul Trevino, owner of 3 Vinos at 201 N. Citrus, spoke in favor of revocation of the CUP due to concerns about the effect on his business of public safety and CUP violations by the applicant.

Speaker Richard Rodriguez, Manager at 3 Vinos, commented on security concerns caused by the applicant's method of operation.

There was no one else wishing to speak; therefore, Mayor King closed the public comment period.

City Manager Miller commented that in-depth evidence had been presented to Council at the October 6, 2015, Council meeting, and based on that evidence, staff recommends revocation of the CUP.

Council Members Allen and Marquez stated that they are ready to move to revoke the CUP.

Mayor Pro Tem Stapleton stated that he has no objection to staying the revocation to January 26, 2016, but also supports revocation now without a stay.

City Attorney Lee commented that Council direction at October 6, 2015, meeting was to institute a revocation with a temporary stay; for staff to present at the October 20, 2015, Council meeting a timeframe for a CUP modification application; that staff had used January 26, 2016, as the 180th day when the CUP lapses; and recommended at least a shortened stay in fairness to the applicant.

City Manager Miller clarified that Council's options are to immediately revoke or provide additional time for the applicant.

Following discussion on the pros and cons of immediate revocation versus granting a stay, a motion was made by Council Member Allen, seconded by Mayor Pro Tem Stapleton to adopt, as presented by staff, **Resolution No. 15-7427** voiding and revoking Conditional-Use Permit No. 11-006 authorizing a restaurant with outside dining with alcohol and entertainment located upon real property at 211 North Citrus Avenue, Covina: Applicant: JP United, LLC and temporarily staying said revocation of Conditional-Use Permit No. 11-006 to allow permittee the opportunity to apply for a conditional-use permit modification.

Motion carried to adopt Resolution No. 15-7427 as follows:

AYES: ALLEN, KING, MARQUEZ, STAPLETON

NOES: NONE

ABSTAIN: NONE

ABSENT: DELACH

NEW BUSINESS

NB 1. Establish a Health Reimbursement Arrangement for City of Covina Retirees.

The staff report was presented by City Manager Miller and Human Resources Director Tellez.

Council discussion included future savings coming from lower salary rates for new hires who replace retiring employees; the entire lump sum would be paid over five years; this is a one-time opportunity for employees with a window of 45 days; the timeframe for roll-out is anticipated to be mid-December; concerns about a loss of institutional knowledge because of encouraging earlier retirements; each employee's separation agreement can be individually negotiated; there

are four or five employees that have expressed interest in this opportunity; confidence in new department heads to manage staff adequately; the recruitment process bringing in the best-qualified applicants; this program assists retiring employees by increasing benefits, including tax benefits; the five-year payment program is beneficial to the City by spreading financial liability and allowing cost-savings and flexibility to reassess positions; a desire for quality-control to maintain the same quality of service; the City's bargaining units are in favor of the program; there are 26 eligible employees with an average of 20 years of service with Covina; and one of the requirements of this program is a minimum of five years' service with Covina.

A motion was made by Council Member Allen, seconded by Council Member Marquez, to authorize the City Manager, or her designee, to execute all required documents to establish a Health Reimbursement Arrangement for City of Covina retirees.

Motion carried as follows:

AYES: ALLEN, KING, MARQUEZ
NOES: STAPLETON
ABSTAIN: NONE
ABSENT: DELACH

NB 2. Exception to the 180-Day wait period to hire an Interim Executive Assistant to the Police Chief.

The staff report was presented by City Manager Miller.

A motion was made by Mayor Pro Tem Stapleton, seconded by Council Member Allen to:

1. Adopt **Resolution No. 15-7430** authorizing an exception to the 180-day wait period for employment of a retiree.
2. Adopt **Resolution No. 15-7431** appointing Debra Quick as Interim Executive Assistant to the Police Chief.
3. Approve a limited-term appointment agreement with Debra Quick.

Motion carried as follows:

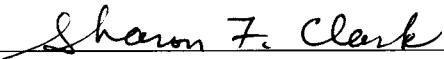
AYES: ALLEN, KING, MARQUEZ, STAPLETON
NOES: NONE
ABSTAIN: NONE
ABSENT: DELACH

ADJOURNMENT

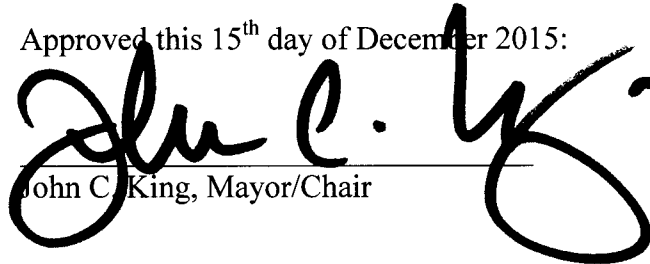
Mayor King reminded the community of the Covina Christmas Parade to be held on Saturday, December 5, 2015, beginning at 6:30 p.m.

At 9:23 p.m., the meeting of the Covina City Council/Successor Agency to the Covina Redevelopment Agency/Covina Public Finance Authority/Covina Housing Authority was adjourned in memory of Robin Steele to the next regular meeting of the Council/Agency/Authority scheduled for Tuesday, December 15, 2015, at 5:00 p.m. for study session in the Covina Library Community Room at 234 N. Second Avenue, Covina, California 91723; and 6:30 p.m. for closed session and 7:30 p.m. for open session inside the Council Chamber, 125 East College Street, Covina, California, 91723.

Respectfully Submitted:


Sharon F. Clark, CMC
Chief Deputy City Clerk

Approved this 15th day of December 2015:


John C. King, Mayor/Chair